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**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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DAYCO FUNDING CORPORATION, a  
California corporation,

Plaintiff,

v.

SILVERLEAF FINANCIAL, LLC, a Utah  
limited liability company; SILVERLEAF  
FINANCIAL 8, LLC, a Utah limited liability  
company; SHANE BALDWIN, an individual;  
and SILVERLEAF FINANCIAL 7, LLC, a  
Utah limited liability company,

Defendants.

**REPORT AND RECOMMENDATION**

Civil No. 2:14-mc-00010-DAK-DBP

District Judge Dale A. Kimball

Magistrate Judge Dustin B. Pead

This matter was referred to the Court under 28 U.S.C. § 636(b)(1)(B) to handle supplemental proceedings. (Docket No. 3.) On May 13, 2014, Plaintiff filed a motion for order in supplemental proceedings. (Dkt. No. 2.) Defendants have not responded to the motion, and the time to do so has expired. *See* DUCivR 7-1(b)(3)(B). “Failure to respond timely to a motion may result in the court’s granting the motion without further notice.” *Id.* 7-1(d).

Based on Defendants’ failure to respond and for good cause appearing, this Court **RECOMMENDS** that the District Court **GRANT** Plaintiff’s motion for order in supplemental proceedings. (Dkt. No. 2.)

This Court further **RECOMMENDS** that the District Court **ORDER** that Defendants (a) Shane Baldwin, an individual; (b) Silverleaf Financial, LLC, a Utah Limited liability company; (c) Silverleaf Financial 8, LLC, a Utah limited liability company; and (d) Silverleaf Financial 7, LLC, a Utah limited liability company (collectively "Defendants") appear in person before this Court at the time and place shown below to answer questions under oath concerning their property.

Date: July 30, 2014 Time: 1:00 p.m.

Place: United States District Court, District of Utah  
351 South West Temple  
Courtroom 7.100  
Salt Lake City, Utah 84101

This Court further **RECOMMENDS** that the District Court **ORDER** that Defendants are not to sell, loan, give away, or otherwise dispose of any non-exempt property pending hearing.

This Court further **RECOMMENDS** that the District Court **ORDER** that costs, if any, and mileage, if allowed, will be assessed at the hearing depending upon the merits.

Copies of the foregoing Report and Recommendation are being sent to all parties who are hereby notified of their right to object. Defendants should be served at 224 South 200 West, Suite 110, Salt Lake City, Utah 84101. Within **fourteen (14) days** of being served with a copy, any party may serve and file written objections. *See* Fed. R. Civ. P. 72(b)(2). Failure to object may constitute a waiver of objections upon subsequent review.

Dated this 10<sup>th</sup> day of June, 2014.

By the Court,

  
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Dustin B. Pead  
United States Magistrate Judge